

AMENDMENTS TO THE CLAIMS

1-47. (Canceled)

48. (Previously presented) An implant to be implanted between adjacent first and second spinous processes, the implant comprising:

a planar unitary body having a first end defining a first saddle, a second end defining a second saddle, and first and second opposed sides extending therebetween spaced apart a lateral distance;

a first leg extending from the first end along the second side;

a second leg extending from the second end along the first side;

the first saddle disposed at the first end between the first leg and the first side so as to receive the first spinous process when the implant is implanted;

the first saddle extending at least half of the lateral distance across the body in a direction from the first side toward the second side;

the second saddle disposed at the second end between the second leg and the second side so as to receive the second spinous process when implanted;

a first fastener that encloses the first saddle for securing the first spinous process to the first saddle; and

a second fastener that encloses the second saddle for securing the second spinous process to the second saddle.

49. (Previously presented) The implant of claim 48 wherein said first fastener is separate from said second fastener.

50. (Previously presented) The implant of claim 48 wherein at least one of the first or second fasteners comprises a tether.

51. (Previously presented) The implant of claim 49, the first and second spinous processes being adjacent spinous processes, wherein the planar body, when implanted, extends in compression between the first spinous process at the first end and the second spinous process at the second end so as to distract the adjacent spinous processes.

52. (Currently amended) An implant for use as an interspinous process implant between a first spinous process and a second spinous process, the implant comprising:

a planar unitary body having a first end that defines a first saddle and a second end that defines a second saddle, the planar unitary body having a central longitudinal axis disposed generally transverse to the first end and extending through the first and second saddles;

a first tether that encloses the first saddle for surrounding the first spinous process when the first saddle receives the first spinous process;

a second tether that encloses the second saddle for surrounding the second spinous process when the second saddle receives the second spinous process; and

wherein the planar body extends between and separates the spinous processes when the first saddle receives the first spinous process and when the second saddle receives the second spinous process.

53. (Previously presented) The implant of claim 52 wherein the first tether is configured to retain the first spinous process relative to the first saddle and the second tether is configured to retain the second spinous process relative to the second saddle.

54. (Previously presented) The implant of claim 52, said first saddle further defined between a first leg and a first side of the planar body and said second saddle further defined between a second leg and second side of the planar body wherein the first tether is associated with the first leg and the first side of the planar body and the second tether is associated with the second leg and the second side of the planar body.

55. (Previously presented) An interspinous process implant comprising:
a unitary central planar body with first and second saddles located on opposite first and second sides of the planar body respectively and configured to receive adjacent spinous processes;

the first saddle extending across the planar body in a direction from the first side toward the second side;

the second saddle extending across the planar body in a direction from the second side toward the first side such that at least a portion of the second saddle laterally overlaps at least a portion of the first saddle; and

the interspinous process implant having at least one tether secured to at least one saddle so as to retain the interspinous process implant between the interspinous process and maintain separation between the interspinous processes.

56. (Previously presented) The implant of claim 55 wherein the planar body is configured to distract the adjacent spinous processes.

57. (Previously presented) An implant for relieving pain associated with a spine, comprising:

- a unitary planar body having a continuous surface positionable between two adjacent spinous processes, the planar body having a lateral width, a first end, and a second end;

- the first end of the planar body defining a first saddle configured to receive the first spinous process;

- the second end of the planar body defining a second saddle configured to receive the second spinous process;

- the first saddle extending at least half of the lateral width across the planar body;

- the second saddle extending at least half of the lateral width across the planar body such that at least a portion of the second saddle laterally overlaps at least a portion of the first saddle;

- a first fastener that encloses the first saddle for retaining the first spinous process in the first saddle; and

- a second fastener that encloses the second saddle for retaining the second spinous process in the second saddle.

58. (Previously presented) The implant of claim 57, wherein the first saddle is associated with a first leg and first side of the planar body and the second saddle is associated with a second leg and a second side of the planar body.

59. (Previously presented) The implant of claim 57, wherein said first fastener is secured through a first bore in the first leg and is securable to the first side of the planar body and said second fastener is secured through a second bore in the second leg and is securable to the second side of the planar body.

60. (Previously presented) The implant of claim 48 wherein the first fastener forms a loop around the first saddle for securing the first spinous process to the first saddle and a second fastener forms a loop around the second saddle for securing the second spinous process to the second saddle.

61. (Previously presented) The implant of claim 48 wherein the second saddle extends at least half of the lateral distance across the body in a direction from the second side to the first side.